

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

July 6, 2009  
8:00 p.m.

Council Chamber  
Bellevue, Washington

PRESENT: Mayor Degginger, Deputy Mayor Balducci, and Councilmembers Bonincontri, Chelminiak, and Lee

ABSENT: Councilmember Davidson

1. Call to Order

The meeting was called to order at 8:02 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Dr. Davidson were present. Councilmember Chelminiak led the flag salute.

3. Communications: Written and Oral

(a) Master Builders Construction of Wetlab 2 at Mercer Slough Environmental Education Center

Parks and Community Services Director Patrick Foran recalled that the Mercer Slough Environmental Education Center opened last year as the result of a regional partnership. The construction package was completed except for a second classroom and a second wetlab. Mr. Foran introduced and thanked Jerry Henry, former Senior Vice President for Puget Sound Energy, who was instrumental in fundraising efforts for this project.

Mr. Henry recalled that in 2007 he and Jim Ellis asked the Council to trust that they would be able to raise the money necessary to finish the Mercer Slough Environmental Education Center. He thanked Sam Anderson and the Master Builders Association of King and Snohomish Counties for their enthusiastic and generous support of the project.

Sam Anderson commended the City of Bellevue, the Pacific Science Center, and Mr. Henry for their collaborative efforts to develop the Mercer Slough Environmental Education Center. He noted that this year is the 100<sup>th</sup> anniversary of the Master Builders Association, which is the nation's largest and oldest local homebuilders association. Wetlab 2 at Mercer Slough is the centerpiece of the association's 100 for 100 Program,

which will provide 100 community service projects to celebrate its 100<sup>th</sup> anniversary. The association plans to build the wetlab to the 5-star Built Green level. A groundbreaking celebration is scheduled for July 9, which will be followed by the lab's ribbon cutting and opening at the end of the year.

Mayor Degginger thanked Mr. Anderson and the Master Builders Association for their generous gift to the community. He thanked Mr. Henry for his hard work on the project as well.

(b) Eastside Easy Rider Collaborative Annual Report

Alex O'Reilly announced the release of the 2008 annual report of the Eastside Easy Rider Collaborative, which is a partnership of the City, Sound Transit, King County Metro, Hopelink, United Way, Bellevue Network on Aging, and Aging and Disability Services. The group began working in 2005 to increase access to health and human services for older adults and people with disabilities.

Francois Larrivee, Chair of the Collaborative and Deputy Director of Transportation for Hopelink, briefly reviewed the annual report and highlighted achievements and specific programs. The Collaborative recently obtained federal grant funding through the Puget Sound Regional Council (PSRC) for a staff position, which has been filled by Polly Nelson as Mobility Coordinator. Mr. Larrivee thanked the City for its ongoing support.

- (c) Chad Harkness expressed concerns about proposed sports fields improvements at Newport Hills Neighborhood Park, which is small and the only neighborhood park in the area. He noted there is no buffer between the park and neighbors. The installation of synthetic turf will increase and intensify the use by sports teams, and thereby diminish the use by local residents.
- (d) Ann Harkness spoke about Newport Hills Neighborhood Park, noting that there is already insufficient parking during soccer and softball seasons. She said concerns regarding parking, pedestrian safety, and traffic have been discussed with Parks Department staff. Ms. Harkness said the site is unique in that it has a lighted soccer field despite property lines within 12 feet from the light poles. There are currently no noise or landscaping buffers. Residents are concerned that sports use will increase with the proposed turf from five months to 12 months a year.
- (e) Jason Molten, Loss Prevention Director for Safeway Food Stores, spoke about Agenda Item 11(b), Ordinance No. 5889 regarding shopping cart containment. In 2009, Safeway Stores in Seattle, Tacoma and Bellevue have recovered 12,595 carts. Safeway averages 30-50 calls monthly on its toll-free number that is affixed on the carts. The two stores that have the most cart issues are located on 140<sup>th</sup> Avenue/Bel-Red Road and on the border of Bellevue and Redmond by Sears. Approximately 500 carts have been recovered for those two stores during the past six months. Safeway is not experiencing any issues with cart retention at its new downtown Bellevue store or the Factoria store. In terms of the proposed Ordinance, Mr. Molten agrees that signage is needed. It is

critical to have a phone number for police and citizens to call. Mr. Molten said there must be cart retrieval companies, and that they need to be insured, properly equipped, and ethical. Mr. Molten said Safeway needs the support of law enforcement, and is hoping that the new Ordinance will provide an enforcement emphasis. He asked that retailers be given warnings before monetary fines are imposed.

- (f) Jay Jones, Bellevue Fred Meyer Store Director, explained that his store pays a cart company \$350 to \$600 monthly to retrieve shopping carts. He expressed concern regarding the people who are taking the carts, which primarily end up at apartment complexes. Mr. Jones said Fred Meyer would like to work with the City to correct the problem. He said no one at the store has been contacted by City staff since 2006 regarding the issue. He recently began working at the Bellevue store and was unaware of the problem.
- (g) Holly Chisa, Northwest Grocery Association, explained that grocers are doing the best they can to label carts, provide signage, and retrieve carts. However, people continue to break the law by removing the carts. Ms. Chisa said grocers would like the Ordinance to provide some assurance that if they label carts and pay for a cart retrieval service and toll-free number, the nuisance component of the Ordinance would not apply to retailers putting forth this effort. Some retailers have tried underground wiring systems that lock a wheel on the cart, which has resulted in people breaking the wheel off and taking the cart anyway or pushing the cart on two wheels. There has also been a lawsuit for a wrist injury that resulted from someone trying to push the cart despite the wheel locking up.
- (h) Renay Bennett echoed the comments of the previous speakers addressing abandoned shopping carts. She feels it is wrong to penalize retailers because citizens are stealing their carts. Ms. Bennett thanked the Council for its interest in an independent and transparent study of Sound Transit's current analysis regarding East Link light rail. She referenced an article indicating that light rail noise levels are 10 decibels higher than anticipated. Therefore she feels it is important for the City to conduct its own study. Ms. Bennett thanked Councilmember Lee for mentioning this issue in the earlier Study Session. She noted that she was out of town during the special meeting held in honor of Councilmember Noble. She and the community will miss him and his work.
- (i) Debi Lelinski, speaking on behalf of the Surrey Down East Link Committee, expressed support for Councilmember Lee's request that staff conduct further study of the B7 route. She urged the Council to consider his request and to add option B7 to the list of alternatives. She encouraged the Council to request the Sound Transit Board meeting minutes in order to review them to gain an understanding of the direction provided to staff by the Board, particularly with regard to the B7 route. Bellevue's study of the B7 option will position the City to quickly move forward with appropriate recommendations should the modified B3 option be found to have fatal flaws. Ms. Lelinski noted that option B7 was favored by a majority of citizens during the public hearing, and it was supported by some members of the Light Rail Best Practices Committee.

- (j) Ian Elliott spoke advocating for a skate park at Ashwood Park or somewhere else near Bellevue Square. He presented a petition reflecting approximately 150 supporters.

4. Reports of Community Council, Boards and Commissions: None.

5. Report of the City Manager

(a) Management Brief on King County Growth Targets

City Manager Steve Sarkozy opened discussion regarding draft housing and job growth targets for 2031.

Planning Director Dan Stroh recalled that he briefed the Council in May regarding the process for developing new city and county growth targets. Once adopted by the Growth Management Planning Council (GMPC) and County Councils, and ratified by the cities, Bellevue will need to incorporate the new targets into its Comprehensive Plan update in 2011. The draft targets will be presented to the GMPC on July 15. Staff has determined that the targets are consistent with the City's existing zoned capacity, including the new Bel-Red corridor capacity, and with adopted plans and forecasts related to transportation planning and other purposes. Mr. Stroh briefly reviewed potential housing and job targets for 2006-2031, noting that most of the new housing units and jobs will be in the Downtown and Bel-Red corridor.

Mayor Degginger stated that as representative to the GMPC, he would appreciate Council input regarding the desired range of housing and job growth targets.

Deputy Mayor Balducci stated it will be nice to have targets consistent with the City's plans, especially since the City has recently expanded its targets.

Responding to Mayor Degginger, Mr. Stroh confirmed that the City can accommodate even the high range of potential targets within its existing plans.

Councilmember Chelminiak noted that the Vision 2040 plan focuses the majority of job and housing growth in metropolitan centers, which includes Bellevue. He commented that communities accepting growth should receive investments to handle that growth. He favors the mid-range targets over the higher range.

City Manager Steve Sarkozy highlighted neighborhood enhancement items on the Consent Calendar: 1) Agenda Item 8(f) regarding residential parking zones in West Bellevue, 2) Agenda Item 8(g) establishing no-parking zones in the Somerset area, 3) Agenda Item 8(j) addressing traffic calming in the Enatai neighborhood, 4) Agenda Item 8(k), sidewalk improvements along NE 8<sup>th</sup> Street, and 5) Agenda Item 8(m), a sidewalk project in Newport Hills.

Mayor Degginger noted that a number of the projects' costs are coming in lower than the engineer's estimates.

6. Council Business and New Initiatives

(a) Appointment to Library Board

→ Councilmember Bonincontri moved to appoint Alice Tow to the Library Board, and Councilmember Lee seconded the motion.

→ The motion to appoint Alice Tow to the Library Board carried by a vote of 5-0.

Councilmember Chelminiak attended a meeting of the Puget Sound Regional Council (PSRC) Executive Board and the 4<sup>th</sup> of July celebration in Downtown Park.

Mayor Degginger congratulated everyone responsible for the success of the 4<sup>th</sup> of July event.

Mr. Sarkozy noted that approximately 65,000 people attended the event.

Deputy Mayor Balducci attend the joint meeting of the Puget Sound Regional Council's Transportation 2040 and Pricing Task Force committees. She noted ongoing discussions in regional forums regarding new transportation funding sources. She encouraged the Council to advocate for public engagement in this process.

Councilmember Lee attended a meeting of the Regional Transit Committee and three July 4<sup>th</sup> functions including the celebration at Downtown Park.

Councilmember Bonincontri attended a meeting of the King County Committee to End Homelessness. She attended a luncheon and tour of City Hall for arts administrators from California, Oregon and Utah.

7. Approval of the Agenda

→ Deputy Mayor Balducci moved to approve the agenda, and Councilmember Chelminiak seconded the motion.

→ The motion to approve the agenda carried by a vote of 5-0.

8. Consent Calendar

→ Deputy Mayor Balducci moved to approve the Consent Calendar, with the exception of Agenda Item 8(h) at Councilmember Lee's request. Councilmember Lee seconded the motion.

→ The motion to approve the Consent Calendar, as amended, carried by a vote of 5-0, and the following items were approved:

- (a) Minutes of June 8, 2009 Extended Study Session
- Minutes of June 15, 2009 Study Session
- Minutes of June 15, 2009 Regular Session

- (b) Resolution No. 7943 authorizing execution of: 1) a Memorandum of Understanding; and 2) a Right-of-Entry Agreement with the Master Builders Association of King and Snohomish Counties for construction of Wetlab 2 at the Mercer Slough Environmental Education Center.
- (c) Motion to award Bid No. 9155 to Tri-Falls Construction LLC, in the amount of \$118,032.58, as the lowest responsible bidder for the Highland Park Ballfield Irrigation Replacement project (CIP Project No. P-R-11).
- (d) Motion to award Bid No. 9163 to Zink Commercial Contractors, Inc., in the amount of \$171,750.79, as the lowest responsible bidder for the Hidden Valley Sports Park sportsfield lighting replacement project (CIP Project No. P-R-11).
- (e) Resolution No. 7944 authorizing execution of the fourth amendment to the Interlocal Agreement for Marine Patrol Services with the King County Sheriff's Office.
- (f) Ordinance No. 5886 related to Residential Permit Parking repealing Ordinance Nos. 4632, 4644, 4750, 4768, and 5281, and creating a new Residential Permit Parking Zone 9 in the West Bellevue neighborhood restricting parking on streets within the zone to "No Parking 8 AM to 9 PM Daily, Except by Zone 9 Permit."
- (g) Ordinance No. 5887 establishing a "No Parking Anytime" zone on the east side of Somerset Avenue SE from Somerset Boulevard SE to Somerset Place SE.
- (i) Ordinance No. 5888 authorizing execution of : 1) a grant agreement with King County Metro to accept \$85,000 in federal Congestion Mitigation and Air Quality funding and \$135,000 in state I-405 Construction Mitigation funding for a Phase III Downtown Bellevue Transportation Demand Management (TDM) Market Enhancement Project; 2) an agreement with the Bellevue Downtown Association for implementation services, in an amount not to exceed \$213,250, in support of the one-year Phase III Downtown Bellevue TDM Market Enhancement Project; 3) an amendment of the 2009-2010 General CIP fund to increase the appropriation by \$175,000; and 4) an amendment of the 2009-2015 General CIP Plan by increasing the project budget for Transportation Demand Management by \$175,000 in contributions from King County (CIP Plan No. PW-R-87).
- (j) Motion to award Bid No. 9025, Enatai Traffic Calming to Langsholt Construction, Inc., in the amount of \$158,540.00, as the lowest responsible and responsive bidder, for installation of a raised crosswalk with curb ramps at 104th Avenue SE, one speed cushion on 108th Avenue SE, and two landscaped medians on SE 34th Street to address cut-through traffic and improve pedestrian safety in the Enatai neighborhood (CIP Plan Nos. PW-M-7 and NEP-1).

- (k) Motion to award Bid No. 9074 to Road Construction Northwest, Inc., in the amount of \$1,848,184.18 as the lowest responsible and responsive bidder, to install a new sidewalk on the north side of NE 8th Street between Lake Washington Boulevard and 96th Avenue NE, and to replace the existing 10-inch asbestos cement water main along NE 8th Street between Lake Washington Boulevard and 92nd Avenue NE (CIP Plan Nos. PW-W/B-73 and W-16).
- (l) Motion to reject the two lowest bids as non-responsible and therefore non-responsive and award Bid No. 9128, Overlake and Factoria Communication Upgrade to Cannon Construction, Inc., in the amount of \$102,006.50, as the lowest responsible and responsive bidder, for installing fiber optic cables to signalized intersections in the Overlake and Factoria areas (CIP Plan No. PW-R-155).
- (m) Motion to award Bid No. 9152 to Lakeridge Development LLC, in the amount of \$249,769.00, as the lowest responsible and responsive bidder, for the construction of approximately 810 lineal feet of curb, gutter and sidewalk on the north side of SE 60th Street between 126th Avenue SE and 128th Avenue SE (CIP Plan No. PW-W/B-72).
- (n) Resolution No. 7946 authorizing execution of a General Services Contract with Clearcreek Contractors, Inc., in an amount not to exceed \$147,534.82, for the removal of accumulated sediments from two Regional Detention Ponds located in the Coal Creek basin.

Item pulled for discussion:

- (h) Resolution No. 7945 authorizing execution of a software purchase and maintenance agreement with PTV America, Inc., in the amount of \$62,774, for VISSIM software used to perform operational analyses of future Downtown transportation conditions including but not limited to at-grade light rail operations.

Councilmember Lee noted that this item was discussed during the earlier Study Session. The Resolution authorizes the purchase of a software package used by Sound Transit. He supports the purchase and use of the software. However, he wants to be sure that the City is not duplicating work already done by Sound Transit.

Mr. Sarkozy said the City will be able to use the sophisticated software for purposes other than light rail planning. For the light rail analysis, the City will collaborate with Sound Transit to utilize its data input. The City will then be able to run its own models based on a number of assumptions to provide the best possible overall analysis.

→ Councilmember Lee moved to approve Resolution No. 7945, and Councilmember Bonincontri seconded the motion.

→ The motion to approve Resolution No. 7945 carried by a vote of 5-0.

Deputy Mayor Balducci clarified her comments during the June 15, 2009, Study Session discussion about citywide plans for off-leash dog parks. She had stated that her first choice would be to continue the off-leash use in Eastgate Park unless for some reason it is shown to be incompatible with the Council's previously stated priorities to develop athletic fields. Should that be the case, she would favor looking at Robinswood Park for an expanded off-leash area.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 7947 authorizing execution of certifications including a continuing disclosure undertaking, and to perform all administrative actions necessary to enable Cascade Water Alliance to issue and sell its initial bonds.  
*[Postponed from June 22, 2009 Council meeting.]*

Alison Bennett, Policy Advisor, explained that the Cascade Water Alliance's 2009 Bond offering will be completed this summer and is expected to be in the \$82 million to \$100 million range. A bond sale at the higher end of the range was anticipated in the development of Cascade's 2009 Budget, and it has therefore already been incorporated into Cascade's charges to members. The fiscal impact of repayment has already been accounted for and will not change Bellevue's water utility rates.

The primary purpose of the bond issue is to fund the acquisition of Lake Tapps and the Tribal settlements that go along with that purchase. Closing of the purchase is not expected until this fall. The list of projects funded by the bond sale has not been finalized. Resolution No. 7947 authorizes the City Manager to execute certifications, including a continuing disclosure undertaking, and to perform all administrative actions necessary to enable the Cascade Water Alliance to issue and sell its initial bonds.

Ms. Bennett responded to brief questions of clarification.

→ Deputy Mayor Balducci moved to approve Resolution No. 7947, and Councilmember Chelminiak seconded the motion.

Mayor Degginger said Cascade staff will provide an update to the Council on its many activities in the near future.

→ The motion to approve Resolution No. 7947 carried by a vote of 5-0.

- (b) Ordinance No. 5889 amending Sections 1.16.010, 1.18.020, 9.10.010, and 9.10.030, and adopting Chapter 9.28 of the Bellevue City Code relating to Shopping Cart Containment Areas required for wholesale and retail uses;

declaring abandoned carts a public nuisance, establishing violations and penalties, and providing for severability; and establishing an effective date.

Land Use Director Carol Helland explained that Ordinance No. 5889 follows Council direction provided on June 1 regarding the abandoned shopping cart issue. She noted a revised version of the proposed Ordinance in Council's desk packet which clarifies enforcement. The Ordinance declares carts to be a nuisance, provides definitions for abandoned shopping cart and containment area, describes responsible parties, and establishes the civil infraction process. Enforcement is on a complaint basis only. Under the Ordinance, retailers have the opportunity to tailor a response that is suitable for their circumstances. She noted that Safeway has been proactive in labeling its carts and hiring a cart retrieval service, which has successfully addressed the problem. However, the City continues to receive calls regarding unmarked carts.

Responding to Councilmember Chelminiak, Police Legal Advisor Kyle Aiken explained that cart removal from a containment area is a civil infraction, not a misdemeanor. Under state law, the infraction would become a misdemeanor if a person demonstrates an intent to permanently deprive the owner of the cart. In further response, Ms. Aiken said if a police officer were to approach a citizen with a cart outside of a containment area, he or she would likely warn the person and direct them to return the cart.

Councilmember Chelminiak opined that companies making an effort to label and retrieve carts should be exempt from any fines.

Deputy Mayor Balducci stated that the Council has not talked about explicit exemptions for certain retailers. In the past Council and staff have talked about voluntary compliance efforts in lieu of monetary fines, but this approach has not been successful. She supports addressing the problem in terms of shared responsibility between retailers and customers taking the carts.

Councilmember Chelminiak said he is not suggesting that the City not have fines and that enforcement should only focus on those individuals taking the carts. However, he suggests that if a company goes to a certain level of effort, for example retrieving carts within 24 hours, the company should not be fined.

Deputy Mayor Balducci stated her understanding that the organizations making the effort to retrieve carts are successfully addressing the problem.

Councilmember Chelminiak reiterated his concern that retailers' efforts to correct the problem be recognized.

Mayor Degginger stated that what he heard tonight is the concept that if a retailer provides signage on its property, labels the carts appropriately, has a cart retrieval program and a toll-free number to call for cart retrieval, that would create the safe harbor where they would not be fined if carts are found abandoned somewhere in the community. The next issue is the frequency of cart removal that should be required. Mr. Degginger's concern is that the City attempted a voluntary compliance effort and community education, which met with limited success.

Ms. Helland explained that the Hearing Examiner is not mandated to levy fines. Staff is not proposing the same procedure that is followed for sign code violations. The imposition of fines is discretionary, and the Hearing Examiner has the opportunity to enter into a voluntary correction agreement with the violator. This could provide the substantial compliance safe harbor that Council is discussing, if the retailer can show that it has made sufficient efforts.

Responding to Mayor Degginger, Ms. Helland said the Hearing Examiner's procedure is outlined in BCC 1.18. It involves notification, the opportunity for an appeal hearing, and the demonstration that steps have been taken to identify a containment area. Ms. Helland said a retailer would also likely be asked to demonstrate that the cart recovered was an anomaly versus a pervasive cart abandonment problem. Past experience shows that the City receives very few complaints after carts are labeled with a toll-free number. The ongoing problem is retailers who have not retained a cart recovery service and have not appropriately labeled their carts.

Councilmember Lee is comfortable with the proposed approach. He likes that fines are not mandatory but instead at the discretion of the Hearing Examiner.

Councilmember Bonincontri reviewed her understanding of the Ordinance, which reflects that the City is requiring businesses to label carts with a toll-free number so that carts can be retrieved within 24 hours.

Responding to Councilmember Bonincontri, Ms. Aiken said fines would be levied against the person taking the cart more than 100 feet from the containment area without permission. Ms. Bonincontri noted that a person could come across an abandoned cart and decide to use it, although they are not the person who removed the cart from a store's property. Ms. Aiken said that in such situations where it is difficult to determine who removed the cart from the containment area, the Police officer could take the opportunity to educate the person about the law. In addition, the person could be fined for unauthorized possession of the cart.

Ms. Helland reviewed that BCC 1.16, addresses penalties and enforcement strategies available and provides the definition of nuisance. Section 9.10 defines shopping carts outside the containment areas as a nuisance. These provisions are enforced through the City's civil violations procedures contained in BCC 1.18. If there is problem, Development Services staff issues the voluntary correction letter, and if appealed the matter goes to the Hearing Examiner. Provisions identified in Section 5 about taking a cart without permission are in the Police sections of the Code and address taking cart without permission. These can be enforced only by the Police Department and result in a ticket to persons in possession of a cart outside of a containment area.

Responding to Mayor Degginger, Ms. Aiken explained that a class 3 civil infraction is the lowest civil infraction. The fine is \$42, with statutory assessments of \$72, for a total of \$114.

Councilmember Chelminiak stated that he has at times while out walking come upon an abandoned cart and walked it back to store. In this scenario, there is the potential that he could be fined for having the cart in his possession. He feels confident that a police officer would

discern that someone with an empty cart walking toward the store is returning it. Councilmember Chelminiak will support the proposed Ordinance.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5889, as amended in the version in Council's desk packet. Councilmember Lee seconded the motion.

Deputy Mayor Balducci stated her hopes that this legislation has the intended effect, which is to help us address the retailers who are not making their best efforts to address the problem. Any regulation that affects human behavior is going to require good judgment and thoughtfulness in its application. She feels staff and the Council have tried to strike a balance in assigning shared responsibility between people taking the carts and organizations continuing to supply the carts despite the fact that they are repeatedly disappearing. Ms. Balducci commended Safeway's efforts to correct the problem, and noted other solutions suggested by the public.

Mayor Degginger supports the proposed approach and its concept of shared responsibility.

Mayor Degginger questioned what criteria the Hearing Examiner will use to either issue a compliance plan or impose a fine. He would like staff to work with the Council to determine what the criteria should be.

Councilmember Lee expressed support for the motion, noting that the problem of abandoned carts is a quality of life issue.

Councilmember Bonincontri said she supports the motion.

→ The motion to adopt Ordinance No. 5889, as amended in the desk packet version, carried by a vote of 5-0.

City Clerk Myrna Basich noted that the correct effective date for this Ordinance is August 5.

- (c) Resolution No. 7948 authorizing execution of separate Proceeds Distribution and Hold Harmless Agreements between Bellevue and individual King County cities.

City Manager Steve Sarkozy explained that Resolution No. 7948 relates to the distribution of proceeds from the sale of the jail site.

Deputy Mayor Balducci recused herself due to her employment with the King County jail system, and left the meeting.

Diane Carlson, Director of Intergovernmental Relations, explained that the proceeds agreement commits each city to spending the jail property proceeds as required by the Jail Services Agreement with King County. Cities must use the funds to contribute to the cost to construct or contract for secure facilities or alternatives to secure facilities, and they must reach a zero target at King County jail facilities unless a subsequent agreement is reached. Bellevue took a lead role in managing the property and the proceeds. The terms of the agreement are intended to assure that cities use the proceeds properly and to protect Bellevue for its role in this transaction.

Bellevue has no greater responsibility or liability as a result of its lead status. The distribution of proceeds is itemized in the meeting packet on page 11-19. Bellevue will receive approximately \$972,000 of the total \$13 million proceeds, and will also be reimbursed approximately \$100,000 for expenses related to managing and selling the property.

- Councilmember Chelminiak moved to approve Resolution No. 7948, and Councilmember Bonincontri seconded the motion.
- The motion to approve Resolution No. 7948 carried by a vote of 4-0, with Deputy Mayor Balducci recused.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:59 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich  
City Clerk

/kaw